

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

NAVAJO NATION,

Plaintiff,

v.

MICHAEL REGAN, in his official capacity  
as Administrator for the U.S.

Environmental Protection Agency;

UNITED STATES ENVIRONMENTAL

PROTECTION AGENCY; JAIME PINKHAM,

in his official capacity as Acting Assistant

Secretary of the Army for Civil Works; and)

UNITED STATES ARMY CORPS OF

ENGINEERS,

Defendants.

Case No. 2:20-cv-00602-MV-GJF

**ORDER GRANTING JOINT MOTION TO HOLD PLAINTIFF'S REMAINING CLAIMS IN  
ABEYANCE**

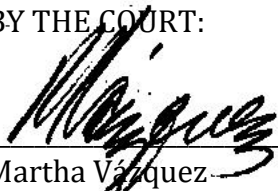
THIS MATTER comes before the Court on the Joint Motion to Hold Plaintiff's Remaining Claims in Abeyance ("Joint Motion"), Doc. 44, filed on October 26, 2021. The Court, being advised in the premises, and no party objecting, finds that the Joint Motion is well-taken and should be granted.

**IT IS ORDERED** that the Joint Motion is GRANTED. Further proceedings in the case regarding Plaintiff's remaining claims are held in abeyance pending either publication of a final rule in the Federal Register regarding the definition of "waters of the United States" under the Clean Water Act or a decision by the Agencies to not proceed with the current "waters of the United States" rulemaking. The parties are ordered to submit a proposal or

proposals regarding further proceedings in this Court within 21 days after the occurrence of either event listed above.

DONE THIS 28th day of October 2021

BY THE COURT:

A handwritten signature in black ink, appearing to read 'Martha Vázquez', is written over a horizontal line.

Martha Vázquez  
United States District Judge